



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of: Rosen, et al.

Docket No.: PZ020P2C1

Application No.: 10/621,401

Group Art Unit: 1631

Filed: July 18, 2003

Examiner: M.K. Zeman

Title: 125 Human Secreted Proteins

Confirmation No.: 6102

INFORMATION DISCLOSURE STATEMENT PURSUANT TO 37 C.F.R. § 1.97(b)

Commissioner for Patents and Trademarks
Washington, D.C. 20231

Sir:

Pursuant to 37 C.F.R. § 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to references AA-CF listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the listed references be made of record therein and appear among the "References Cited" on any patent to issue therefrom. A copy of references AA and CD-CF, which may be relevant to the presently claimed invention, are enclosed.

Copies of references AB-CC were submitted by Applicants or cited by the Examiner during prosecution of U. S. Patent Application Serial Nos. 09/974,879, filed October 12, 2001; 09/818,683, filed March 28, 2001; and 09/305,736, filed May 5, 1999, to which the instant application claims priority under 35 U.S.C. § 120. Pursuant to 37 C.F.R. § 1.98(d), the Examiner is directed to the above-listed files for copies of reference(s) AB-CC.

Applicants wish to bring to the attention of the Examiner that SEQ ID NO:17 and the corresponding cDNA clone of this application are related to SEQ ID NO:17197 in copending U.S. Patent Application Serial No. 09/912,292, filed July 26, 2001. A legible copy of that portion of U.S. Patent Application Serial No. 09/912,292, which caused it to be listed on the attached revised form PTO/SB/08 is submitted herewith as reference AA.

Identification of the listed reference is not to be construed as an admission of any individual associated with the filing or prosecution of the subject application that such reference is available as "prior art" against the subject application. Furthermore, Applicants do not waive any rights to appropriate action to establish patentability over the listed document should it be applied as a reference against the claims of the subject application.

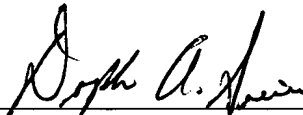
09/29/2004 JRD/J01 00000028 083425 10621401
01 FC:1806 180.00 DA

It is submitted that the Information Disclosure Statement is in compliance with 37 C.F.R. 1.98 and the Examiner is respectfully requested to consider the listed reference.

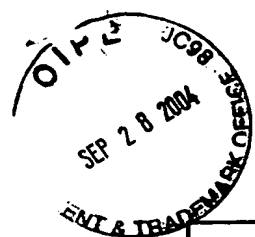
This Information Disclosure Statement is filed after the mailing of the first Office Action on the merits, but before the mailing date of a Final Office Action or Notice of Allowance (37 CFR 1.97(c)). Therefore, please charge our Deposit Account No. 08-3425 in the amount of \$180.00 covering the fee set forth in 37 C.F.R. 1.17(p). The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 08-3425.

Dated: September 28, 2004

Respectfully submitted,

By 
Doyle A. Siever, #47,088
Patent Agent

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14200 Shady Grove Road
Rockville, MD 20850
Phone: 301-354-3932



PTO/SB/08a/b (08-03)

Approved for use through 07/31/2006. OMB 0651-0031
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Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	10/621,401-Conf. #6102
				Filing Date	July 18, 2003
				First Named Inventor	Craig A. Rosen
				Art Unit	1631
				Examiner Name	M. K. Zeman
Sheet	1	of	3	Attorney Docket Number	PZ020P2C1

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number Number-Kind Code ² (if known)	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
	AA	US-09/912,292	NOT PUBLISHED	ROSEN, et al.	pages 1-75 (pages 1 & 2 partially redacted); portion of Table 2; and SEQ ID NO:17197

FOREIGN PATENT DOCUMENTS							
Examiner Initials*	Cite No. ¹	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)					
	AB	WO-WO97/07198-A2		02-27-1997	Genetics Inst		
	AC	WO-WO90/14432-A1		11-29-1990	Genetics Inst		
	AD	WO-WO96/17925-A1		06-13-1996	Immunex Corp		
	AE	WO-99/24836		05-20-1999	Human Genome Sciences, Inc.		
	AF	WO-00/56889		09-28-2000	Genentech, Inc.		
	AG	WO-00/53758		09-14-2000	Genentech, Inc.		
	AH	WO-00/37639		06-29-2000	Incyte Pharmaceuticals, Inc.		

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ** CITE NO.: Those patent(s) or publication(s) which are marked with an double asterisk (**) next to the Cite No. are not supplied because they were previously cited by or submitted to the Office in a prior application relied upon in this application for an earlier filing date under 35 U.S.C. 120. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	AI	HILLER et al., "The WashU-Merck EST Project," GenBank Accession No. W52793, (06/04/1996)	
	AJ	HILLER et al., "The WashU-Merck EST Project," GenBank Accession No. R52090, (05/24/1995)	
	AK	GENEXPRESS, "The Genexpress cDNA program," GenBank Accession No. Z40332, (11/04/1994)	
	AL	HILLER et al., "The WashU-Merck EST Project," GenBank Accession No. R49159, (05/24/1995)	
	AM	KLEIN et al., "Selection for Genes Encoding Secreted Proteins and Receptors," Proceedings of the National Academy of Sciences of USA, National Academy of Science, Washington, US, Genetics, Vol. 93:7108-7113, (1996)	
	AN	JACOBS et al., "A Genetic Selection for Isolating cDNAs Encoding Secreted Proteins," Gene: An International Journal on Genes and Genomes, Elsevier Science Publishers, Barking, GB, Vol. 198:289-296, (10/01/1997)	
	AO	HILLER et al., "The WashU-Merck EST Project 1997," GenBank Accession No. AA446064, (06/03/1997)	

Examiner Signature		Date Considered	
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Substitute for form 1449A/B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/621,401-Conf. #6102
				Filing Date	July 18, 2003
				First Named Inventor	Craig A. Rosen
				Art Unit	1631
				Examiner Name	M. K. Zeman
Sheet	2	of	3	Attorney Docket Number	PZ020P2C1

AP	HILLER et al., "The WashU-Merck EST Project 1997," GenBank Accession No. AA446081, (06/03/1997)	
AQ	HILLER et al., "The WashU-Merck EST Project 1997," GenBank Accession No. AA428329, (10/16/1997)	
AR	HILLER et al., "The WashU-Merck EST Project," GenBank Accession No. W16535, (04/29/1996)	
AS	HILLER et al., "Generation and analysis of 280,000 human expressed sequence tags," GenBank Accession No. W40362, (08/20/1996)	
AT	HILLER et al., "The WashU-NCI human EST Project," GenBank Accession No. AA435946, (11/09/1997)	
AU	HILLER et al., "The WashU-Merck EST Project 1997," GenBank Accession No. AA436043, (05/30/1997)	
AV	HILLER et al., "The WashU-Merck EST Project," GenBank Accession No. N79550, (03/29/1996)	
AW	HILLER et al., "The WashU-Merck EST Project 1997," GenBank Accession No. AA479744, (08/08/1997)	
AX	HILLER et al., "The WashU-Merck EST Project 1997," GenBank Accession No. AA429924, (10/16/1997)	
AY	HILLER et al., "The WashU-Merck EST Project," GenBank Accession No. R73714, (06/05/1995)	
AZ	HILLER et al., "The WashU-Merck EST Project 1997," GenBank Accession No. AA429909, (10/16/1997)	
BA	HILLER et al., "The WashU-Merck EST Project 1997," GenBank Accession No. AA477085, (08/08/1997)	
BB	ALGATE, Geneseq Accession No. AAH83712; "Human ovarian tumour associated polynucleotide sequence SEQ ID NO:1336, from WO01/51513 (09/25/01)	
BC	ALGATE, Geneseq Accession No. AAS25067; "Human ovarian PCR-subtracted cDNA library clone #1248, from WO01/57207 (11/07/01)	
BD	HILLIER, et al., Genbank Accession No. R27318 (April 24, 1995)	
BE	HILLIER, et al., Genbank Accession No. W56634 (October 15, 1996)	
BF	RIBAS, et al., "Genes encoding three new members of the leukocyte antigen 6 superfamily and a novel member of Ig superfamily, together with encoding the regulatory nuclear chloride ion channel protein (hRNCC) and an N omega-N omega-dimethylarginine dimethylaminohydrolase homologue, are found in a 30-kb segment of the MHC class III region," J. Immunol., 163(1):278-287 (July 1, 1999)	
BG	SAPPERSTEIN, et al., "p115 is a general vesicular transport factor related to the yeast endoplasmic reticulum to Golgi transport factor Usolp," Proc. Natl. Acad. Sci. USA, 92:522-526 (January 17, 1995)	
BH	BARROSO, et al., "Transcytosis-associated protein (TAP)/p115 is a general fusion factor required for binding vesicles to acceptor membranes," Proc. Natl. Acad. Sci. USA, 92:527-531 (January 17, 1995)	
BI	SOHADA, et al., "Phosphorylation of the vesicle docking protein p115 regulates its association with Golgi membrane," J. of Biol. Chem., 273(9):5385-5388 (February 27, 1998)	
BJ	ADAMS, et al., "Complementary DNA sequencing: Expressed sequence tags and human genome project," Science, 252:1651-1656 (June 21, 1991)	
BK	RIBAS, et al., Genbank Accession No. NP_079537 (March 18, 2001)	
BL	NCI-CGAP, Genbank Accession No. AI127339 (October 27, 1998)	
BM	HILLIER, et al., Genbank Accession No. H03945 (June 20, 1995)	
BN	HILLIER, et al., Genbank Accession No. H03135 (June 20, 1995)	
BO	NCI-CGAP, Genbank Accession No. AI188337 (October 28, 1998)	
BP	MARRA, et al., Genbank Accession No. AA930440 (April 23, 1998)	
Examiner Signature		Date Considered



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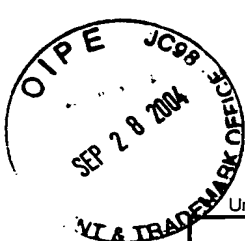
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				Art Unit	1631
				Examiner Name	M. K. Zeman
				Attorney Docket Number	PZ020P2C1
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BQ	MARRA, et al., Genbank Accession No. AA500454 (July 1, 1997)	
BR	HILLIER, et al., Genbank Accession No. W56597 (October 15, 1996)	
BS	NCI-CGAP, Genbank Accession No. AI220729 (November 29, 1998)	
BT	ROWEN, et al., "Sequence of the mouse major histocompatibility locus class III region," GenBank Accession No. AAC84157 (December 10, 1998)	
BU	ROWEM, et al., "Direct submission," GenBank Accession No. 095867 (June 15, 2002)	
BV	MALLYA, et al., "Transcriptional analysis of a novel cluster of LY-6 family members in the human and mouse major histocompatibility complex: Five genes with many splice forms," GenBank Accession No. CAC85539 (June 26, 2002)	
BW	ATTWOOD, Teresa, "The Babel of bioinformatics," Science, 290:471-473 (2000)	
BX	GERHOLD, et al., "It's the genes! EST access to human genome content," BioEssays, 18(12):973-981 (1996)	
BY	WELLS, et al., "The chemokine information source: identification and characterization of novel chemokines using the WorldWideWeb and Expressed Sequence Tag Databases," Journal of Leukocyte Biology, 61(5):545-550 (1997)	
BZ	RUSSELL, et al., "Structural features can be uncovered in proteins with similar folds," Journal of Molecular Biology, 244:332-350 (1994)	
CA	YAMANOUCHI, et al., "A T cell activation antigen, Ly6C, induced on CD4+ Th1 cells mediates an inhibitory signal for secretion of IL-2 and proliferation in peripheral immune responses," European Journal of Immunology, 28(2):696-707 (1998)	
CB	NISHIZAWA, et al., "Identification of a proline-binding motif regulating CD2-triggered T lymphocyte activation," Proc. Natl. Sci. USA, 95:14897-14902 (December 1998)	
CC	FREUND, et al., "The GYF domain is a novel structural fold that is involved in lymphoid signaling through proline-rich sequences," Nat Struct Biol. 6(7):656-660 (July 1999)	
CD	KUMAR, et al., "Basic Pathology, 6th Ed., W.B. Saunders Company, Chapter 16, pp. 516-555 (1997)	
CE	ROUAULT, et al., "Novel mammalian group XII secreted phospholipase A2 lacking enzymatic activity," Biochemistry, 42(39):11494-11503 (October 7, 2003)	
CF	SMITH, et al., "Identification of novel tumor markers in hepatitis C virus-associated hepatocellular carcinoma," Cancer Res., 63(4):859-864 (February 15, 2003)	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ** CITE NO.: Those patent(s) or publication(s) which are marked with an double asterisk (**) next to the Cite No. are not supplied because they were previously cited by or submitted to the Office in a prior application relied upon in this application for an earlier filing date under 35 U.S.C. 120.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 180.00

Complete if Known

Application Number	10/621,401-Conf. #6102
Filing Date	July 18, 2003
First Named Inventor	Craig A. Rosen
Examiner Name	M. K. Zeman
Art Unit	1631
Attorney Docket No.	PZ020P2C1

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit Card ☐ Money Order ☐ Other ☐ None

☒ Deposit Account:

Deposit
Account
Number

08-3425

Deposit
Account
Name

Human Genome Sciences, Inc.

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☒ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1001	770	2001	385	Utility filing fee	
1002	340	2002	170	Design filing fee	
1003	530	2003	265	Plant filing fee	
1004	770	2004	385	Reissue filing fee	
1005	160	2005	80	Provisional filing fee	

SUBTOTAL (1) (\$) 0.00

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

	Total Claims	Independent Claims	Multiple Dependent	Extra Claims	Fee from below	Fee Paid
	20	4		-44** =	x	0.00
				-8** =	x	0.00

Large Entity		Small Entity		Fee Description
Fee Code	Fee (\$)	Fee Code	Fee (\$)	
1202	18	2202	9	Claims in excess of 20
1201	86	2201	43	Independent claims in excess of 3
1203	290	2203	145	Multiple dependent claim, if not paid
1204	86	2204	43	** Reissue independent claims over original patent
1205	18	2205	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) 0.00

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet	
1053	130	1053	130	Non-English specification	
1812	2,520	1812	2,520	For filing a request for <i>ex parte</i> reexamination	
1804	920*	1804	920*	Requesting publication of SIR prior to Examiner action	
1805	1,840*	1805	1,840*	Requesting publication of SIR after Examiner action	
1251	110	2251	55	Extension for reply within first month	
1252	420	2252	210	Extension for reply within second month	
1253	950	2253	475	Extension for reply within third month	
1254	1,480	2254	740	Extension for reply within fourth month	
1255	2,010	2255	1,005	Extension for reply within fifth month	
1401	330	2401	165	Notice of Appeal	
1402	330	2402	165	Filing a brief in support of an appeal	
1403	290	2403	145	Request for oral hearing	
1451	1,510	1451	1,510	Petition to institute a public use proceeding	
1452	110	2452	55	Petition to revive - unavoidable	
1453	1,330	2453	665	Petition to revive - unintentional	
1501	1,330	2501	665	Utility issue fee (or reissue)	
1502	480	2502	240	Design issue fee	
1503	640	2503	320	Plant issue fee	
1460	130	1460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	180.00
8021	40	8021	40	Recording each patent assignment per property (times number of properties)	
1809	770	2809	385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810	770	2810	385	For each additional invention to be examined (37CFR 1.129(b))	
1801	770	2801	385	Request for Continued Examination (RCE)	
1802	900	1802	900	Request for expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 180.00

SUBMITTED BY

Name (Print/Type) Doyle A. Siefer

Registration No.
(Attorney/Agent)

47,088

(Complete (if applicable))

Telephone (301) 354-3932

Signature

Doyle A. Siefer

Date

September 28, 2004